IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 1064/2004
(Rav Tularam Rashtra Unnati Vidhyalaya Samiti & Anr. Vs. Veer Singh Yadav & Ors.)

Date of Order : 02/02/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. R.S.Saluja for the petitioners.
Mr. Rameshwar Dave, Dy. Govt. Advocate for respondents.
Mr. Pankaj Gupta for the respondent No.1.

BY THE COURT:-

By the instant writ petition, the petitioner has challenged the order Annex.9 dated 01.11.2003 passed by the Rajasthan Non-Government Educational Institution Tribunal, Jaipur, whereby the appeal filed by respondent Veer Singh Yadav against his transfer order dated 17.7.2001 was allowed and the order impugned before the tribunal dated 17.7.2001 was set aside.

I have heard learned counsel for the parties.

The respondent was transferred by order dated 17.7.2001 and that order has not been executed because on an appeal filed by the respondent, the order was stayed by the

tribunal and subsequently, the respondent succeeded in appeal and the transfer order was set aside. This shows that the respondent has been continuing at the place from where he was sought to be transferred since July, 2001 for about five & half years. In my view, no useful purpose would be served to interfere with the order impugned after such a long period.

The writ petition is therefore, dismissed without examining the merit of the case. However, it will be open for the petitioner to make a fresh order if the exigency of service so requires. Stay petition also stands dismissed. No order as to costs.

(H.R.PANWAR),J.

rp